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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/575,227

04/07/2006

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1391.1071

6987

21171 7590 07/10/2009
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EXAMINER

NGUYEN, NGON BINH

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

07/10/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/575,227	Applicant(s) KAWAI ET AL.	
	Examiner NGON NGUYEN	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/7/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/5/06;11/2/06;4/7/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Wang (US Patent No. 6,069,715).

With reference to claim 1, Wang discloses a scanner apparatus provided with both a flatbed mechanism and an auto-document feeder mechanism, characterized in that:

the auto-document feeder mechanism is supported via a movable coupling mechanism so that the relative position and relative orientation of the auto-document feeder mechanism in relation to the flatbed mechanism can be changed (Wang's Abstract, an image scanner capable of scanning two single sided scanners including an automatic document feeder (ADF) and image capture device, a base, and a flatbed scanner with its own image capture device).

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With reference to claim 2 (depends on claim 1), Wang further discloses the scanner apparatus wherein:

an auto-document feeder mechanism support base is provided at a position that does not obstruct the opening and closing of a paper-pressing board of the flatbed mechanism, and the auto-document feeder mechanism is disposed on the auto-document feeder mechanism support base via the movable coupling mechanism, whereby reading with the flatbed mechanism and reading with the auto-document feeder mechanism are simultaneously performed (column 3 lines 35-67, column 4 lines 1-12, and column 5 lines 1-9, the scanner apparatus can be used in single scanner mode as a single image scanning machine using separate paper path that is not obstructed by the ADF, FIG 5-6; column 4 lines 13-67, and column 5 lines 1-9, two sides of document are scanned simultaneously, i.e. the reading with flatbed mechanism and reading with ADF mechanism are automatically performed, FIG 7-8).

With reference to claim 5 (depends on claim 1), Wang further discloses the scanner apparatus comprising:

as the movable coupling mechanism, coupling protrusions provided on a bottom portion of the auto-document feeder mechanism, wherein the coupling protrusions are inserted into selected holes of attachment holes provided at a plurality of positions on the flatbed mechanism, whereby the auto-document feeder mechanism can be disposed at a selected position with an orientation selected from opposite orientations (column 3 lines 10-27, a plurality of posts, FIG 5/33, and a plurality of plug-in holes, FIG

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5/43, relating to fixing posts 33. Posts 44 plug into the plug-in holes 43 for securing the main body of the ADF to the base).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang (US Patent No. 6,069,715) as applied to claim rejection 1 above, and further in view of Koshimizu et al. (US Patent No. 6,522,862).

With reference to claim 3 (depends on claim 1), Wang does not disclose:

a scanner apparatus further comprising, as the movable coupling mechanism, rails provided on the flatbed mechanism, a slider which is movable along the rails, and a rotating post for coupling the slider and the auto-document feeder mechanism, whereby the auto-document feeder mechanism can be moved along the rails and rotated.

However, Koshimizu et al. discloses a compact image forming apparatus or scanner (column 10 lines 1-13, the ADF, FIG 13/11, can be drawn out (on sliders moving along the rails) and rotated with a rotating rod, FIG 10/17, coupling the ADF and the base).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to modify Wang's device using the mechanism disclosed by Koshimizu et al. to enable the application that requires user to employ slide-able and rotational ADF.

With reference to claim 4 (depends on claim 1), Wang does not disclose image forming apparatus comprising:

as the movable coupling mechanism, rails provided on the flatbed mechanism, and the auto-document feeder mechanism itself having a shape which enables the auto-document feeder mechanism to be fitted onto the rails with an orientation selected from opposite orientations, whereby the auto-document feeder mechanism itself can move along the rails

However, Koshimizu et al. further discloses (column 10 lines 1-7, the ADF, FIG 13/11, is drawably constructed using drawing operation mechanism (movable coupling mechanism or slider assembly).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to modify Wang's device using the mechanism disclosed by Koshimizu et al. to enable the application that requires user to employ slide-able and rotational ADF.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc Nguyen whose telephone number is (571)270-7533. The examiner can normally be reached on Mon - Thur 8-5 est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benny Tieu can be reached on (571)272-7490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/NGON NGUYEN/

Examiner, Art Unit 2625

/Benny Q Tieu/
Supervisory Patent Examiner, Art Unit 2625